

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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**JOE WASHAM,**

*Plaintiff,*

v.

**No. \_\_\_\_\_**  
**Jury Demand**

**FAMILY DOLLAR STORES OF  
TENNESSEE, LLC, FAMILY DOLLAR  
STORES, INC., and DOLLAR TREE  
STORES, INC.**

*Defendants.*

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**NOTICE OF REMOVAL**

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Without waiving any defenses, pursuant to 28 U.S.C. § 1441, Defendant, Family Dollar Stores of Tennessee, LLC, (hereinafter “Defendant”), by and through counsel, gives notice of the removal of this case from the Circuit Court for Gibson County, Tennessee to the United States District Court for the Western District of Tennessee, Eastern Division. As grounds for removal, Defendant shows the Court the following:

1. This matter was originally filed in the Circuit Court of Gibson County, Tennessee, on August 30, 2022 naming as Defendant, Family Dollar Stores of Tennessee, LLC. (hereinafter “Defendant”). A copy of Plaintiff’s Complaint is attached hereto as **Exhibit A**.
2. This action is a civil action for personal injuries as a result of an accident occurring in Gibson County, Tennessee, on September 24, 2021. See **Exhibit A, Complaint Paragraph 6**.
3. Defendant was served with a copy of the Summons in this action on or about October 11, 2022. This Notice of Removal is filed within thirty (30) days from the date Defendant received notice of the suit and is therefore proper under 28 U.S.C. § 1446. A copy of the Summons

and Return of Service is attached hereto as **Exhibit B**.

4. The parties are completely diverse. Plaintiff alleges she is a resident of Gibson County, Tennessee. See **Exhibit A, Complaint Paragraph 1**. Defendant is a foreign corporation organized and existing under the laws of Virginia.

5. This Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1332(a)(1) as the suit is between citizens of different states, and the amount in controversy exceeds the sum of \$75,000.00.

6. Regarding the amount in controversy, Plaintiff has set forth a specific ad damnum of \$1,000,000.00 in compensatory damages for the personal injuries allegedly sustained as a result of the accident. While not conceding that the case has a value in excess of \$75,000, Defendant submits that the amount in controversy at present is in excess of said amount.

7. Venue of this removal action is proper pursuant to 28 U.S.C § 1441(a) as this Court is the United States District Court for the district and division where the Civil Action is pending.

8. In accordance with 28 U.S.C. § 1446(a), true copies of all pleadings filed to date in this action by any party are attached hereto as collective **Exhibit C**.

9. In accordance with 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served by U.S. mail on counsel for Plaintiff and a Notice of Filing of Notice of Removal is being filed with the Circuit Court for Gibson County, Tennessee. A copy of the Notice of Filing of Notice of Removal is attached as **Exhibit D** and is incorporated by reference. The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

**WHEREFORE, PREMISES CONSIDERED**, Defendant requests that this Court now REMOVE this Civil Action from the Circuit Court of Gibson County, Tennessee, and that further proceedings now be conducted in the United States District Court for the Western District of

Tennessee, Eastern Division, as provided for and consistent with the laws of the United States of America.

Respectfully submitted,

**GLANKLER BROWN, PLLC**

/s/ Ronald L. Harper  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing instrument has been served on the following attorneys and/or parties via U.S. Mail, postage prepaid, via electronic means, and/or via electronically filing the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of the filing to the attorney listed below, on this 31<sup>st</sup> day of October, 2022:

Adam H. Johnson  
NAHON SAHAROVICH & TROTZ, PLC  
488 South Mendenhall  
Memphis, Tennessee 38117

/s/ Ronald L. Harper \_\_\_\_\_

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